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Agenda item 116
Follow-up to the outcome of the Millennium Summit

Report of the Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse

I. Introduction

1. Pursuant to General Assembly resolution 61/291, the Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse met on 3 August and 12 September 2007 (see A/61/1044 and Add.1).

2. At its 107th plenary meeting, on 13 September, the General Assembly adopted decision 61/559, which read as follows:

> "The General Assembly, recalling its resolutions 59/300 of 22 June 2005, 60/236 of 6 June 2006 and 61/291 of 24 July 2007:
>
> "(a) Decides to defer the convening of the substantive session of the Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse to the sixty-second session of the General Assembly;
>
> "(b) Requests the Working Group to meet from 3 to 7 December 2007 and to submit a report on its work to the General Assembly at its sixty-second session."

II. Organizational matters

A. Opening and duration of the session

3. Pursuant to General Assembly decision 61/559, the Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse held nine meetings at United Nations Headquarters from 3 to 7 and on 19 December 2007.

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4. The Office for the Coordination of Humanitarian Affairs and the Department of Field Support acted as the substantive secretariat of the Working Group, while the Disarmament and Peace Affairs Branch of the Department for General Assembly and Conference Management served as technical secretariat of the Group. Representatives of the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP) also participated in the session.

5. The session was opened by the Chairperson of the Working Group, Mr. Jorge Urbina, Permanent Representative of Costa Rica to the United Nations.

B. Agenda

6. At its 1st meeting, on 3 December, the Working Group adopted the provisional agenda (A/AC.274/2007/CRP.1), which read as follows:

1. Opening of the session.
2. Adoption of the agenda.
3. Organization of work.
4. Report to the General Assembly at its sixty-second session.
5. Other matters.

C. Documentation

7. The Working Group had before it the following documents:

(a) Provisional agenda (A/AC.274/2007/CRP.1);

(b) Draft decision (A/AC.274/2007/CRP.2);

(c) Draft report (A/AC.274/2007/CRP.3).

D. Proceedings of the Working Group

8. At its 1st to 8th meetings, the Working Group discussed the draft United Nations comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel, on the basis of a text prepared by the Chairperson.

III. Report to the General Assembly at its sixty-second session

9. At its 8th meeting, on 7 December, the Working Group decided to adopt a draft decision proposed by the Chairperson (A/AC.274/2007/CRP.2; see para. 13 below).

10. At its 9th meeting, on 19 December, the Working Group decided to recommend for adoption by the General Assembly the draft resolution and the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel contained in the annex thereto (see para. 14 below).

11. At the same meeting, the Working Group was informed by the Secretariat that the adoption of the draft resolution and the draft strategy would not entail any programme budget implications.

12. Also at the 9th meeting, the Working Group adopted its draft report (A/AC.274/2007/L.4).

IV. Decision of the Working Group

13. At its 8th meeting, on 7 December, the Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse adopted the following decision:

> "The Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse,
>
> "Recalling General Assembly resolutions 59/300 of 22 June 2005, 60/236 of 6 June 2006 and 61/291 of 24 July 2007 and decision 61/559 of 13 September 2007,
>
> "Decides that its report to the sixty-second session should be considered by the General Assembly under agenda item 116, entitled Follow-up to the outcome of the Millennium Summit."

V. Recommendation of the Working Group

14. The Ad Hoc Open-ended Working Group on Assistance and Support to Victims of Sexual Exploitation and Abuse recommends to the General Assembly the adoption of the following draft resolution:

United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations and international law, which are indispensable for a more peaceful, prosperous and just world, and for the promotion and protection of human rights and fundamental freedoms for all,

Deeply concerned by and strongly condemning all acts of sexual exploitation and abuse committed by United Nations staff and related personnel,

Reiterating its support to the Secretary-General's zero-tolerance policy on sexual exploitation and abuse, and recalling all relevant United Nations standards of conduct and regulations, including the Secretary-General's

Bulletin on the Special Measures for Protection from Sexual Exploitation and Sexual Abuse,[1]

Also reiterating its support for the implementation of a comprehensive approach throughout the United Nations system to assist victims of sexual exploitation and abuse by United Nations staff and related personnel which should be provided in an appropriate and reliable manner,

Recalling the letter dated 24 March 2005 from the Secretary-General to the President of the General Assembly, which contains the report of the special adviser entitled "A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations",[2]

Also recalling that the 2005 World Summit Outcome[3] requested the Secretary-General to submit proposals to the General Assembly leading to a comprehensive approach to victims' assistance,

Further recalling its resolutions 59/281 of 29 March 2005, 59/300 of 22 June 2005, 60/263 of 6 June 2006 and 61/291 of 24 July 2007,

Taking note with appreciation of the letter dated 25 May 2006 from the Secretary-General to the President of the Security Council,[4] which contains a draft United Nations policy statement and a draft United Nations comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel,

Mindful of the importance of assisting victims of sexual exploitation and abuse committed by United Nations staff and related personnel,

1. *Adopts* the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel ("the Strategy"), annexed to the present resolution;

2. *Calls on* relevant organizations of the United Nations system, and invites specialized agencies, to engage in an active and coordinated manner in the implementation of the strategy, with the support of civil society, as appropriate, working closely with Member States;

3. *Decides* to examine, in two years, progress made in the implementation of the Strategy under the agenda item entitled "Follow-up to the outcome of the Millennium Summit";

4. *Requests* the Secretary-General to implement the Strategy and to submit a detailed report in this regard, including lessons learned, best practices and recommendations, at its sixty-fourth session.

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[1] ST/SGB/2003/13.

[2] A/59/710.

[3] Resolution 60/1, para. 165.

[4] A/60/877.

Annex

United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel

Purpose

1. The purpose of the Strategy is to ensure that victims of sexual exploitation and abuse by United Nations staff and related personnel receive appropriate assistance and support in a timely manner. It is imperative that the Organization responds quickly and effectively when sexual exploitation and abuse occur.

2. The Strategy also enables the United Nations system to facilitate, coordinate and provide, as appropriate, the assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel.

3. The Strategy shall in no way diminish or replace the individual responsibility for acts of sexual exploitation and abuse, which rests with the perpetrators. The Strategy is not intended as means for compensation.

Scope of application

4. The Strategy should be implemented to assist and support complainants, victims and children born as a result of sexual exploitation and abuse by United Nations staff or related personnel in a manner appropriate to the relevant circumstances of each location with due respect to host country legislation.

Definitions

5. The following definitions are provided here to clarify the terms used in the Strategy:

(a) Sexual abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;

(b) Sexual exploitation: The actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;

(c) Complainants: Persons who allege, in accordance with established procedures, that they have been, or are alleged to have been, sexually exploited or abused by United Nations staff or related personnel, but whose claim has not yet been established through a United Nations administrative process or Member States' processes, as appropriate;

(d) Victims: Persons whose claims that they have been sexually exploited or abused by United Nations staff or related personnel have been established through a United Nations administrative process or Member States' processes, as appropriate;

(e) Children born as a result of sexual exploitation and abuse: Children who are found by a competent national authority to have been born as a result of acts of sexual exploitation and abuse by United Nations staff or related personnel;

(f) United Nations staff and related personnel: United Nations staff members, consultants, individual contractors, United Nations Volunteers, experts on mission and contingent members;

(g) Implementing partners: Entities or organizations that operate at country level, in accordance with established host country and United Nations procedures, to facilitate and provide the services outlined in the Strategy. Victim Support Facilitators are those selected implementing partners requested by the United Nations to facilitate the delivery of assistance and support to complainants, victims and children born as a result of sexual exploitation and abuse.

Assistance and support

6. Complainants should receive basic assistance and support in accordance with their individual needs directly arising from the alleged sexual exploitation and abuse. This assistance and support will comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate material care, such as food, clothing, emergency and safe shelter, as necessary.

7. Further to basic assistance, victims should receive additional assistance and support in accordance with their individual needs directly arising from sexual exploitation and abuse. This assistance and support will comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate material care, as necessary.

8. Children born as a result of sexual exploitation and abuse should receive, in accordance with their individual needs, assistance and support addressing the medical, legal, psychological and social consequences directly arising from sexual exploitation and abuse, in the best interests of the child. The United Nations should also work with Member States to facilitate, within their competence, the pursuit of claims related to paternity and child support.

Provision of assistance and support

9. All assistance and support should be provided in a manner that does not increase the trauma suffered by the complainants, victims and children born as a result of sexual exploitation and abuse, cause further stigmatization or exclude or discriminate against other victims of sexual exploitation and abuse.

10. Assistance and support should be provided through existing services, programmes and their networks. However, where necessary, the United Nations should consider supporting the development of new services, while not developing duplicative structures.

11. A United Nations focal point will be identified to coordinate and monitor the implementation of the Strategy to ensure that the process of referring complainants, victims and children born as a result of sexual exploitation and

abuse is simple, safe and respects the need for confidentiality, dignity and non-discrimination.

12. The United Nations should identify implementing partners to provide the services outlined in the present Strategy, and to act as Victim Support Facilitators, as necessary.

13. The duration of the provision of assistance and support should be set in accordance with individual needs directly arising from sexual exploitation and abuse.

14. The provision of any assistance and support by the United Nations in every case of complainants, victims and children born as a result of sexual exploitation and abuse is not an acknowledgement of the validity of the claims or an indication of acceptance of responsibility by the alleged perpetrator.